

106TH CONGRESS
1ST SESSION

S. 1225

To provide for a rural education initiative, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 16, 1999

Ms. COLLINS (for herself, Mr. GREGG, Mr. CONRAD, Mr. BURNS, Mr. KERREY, Mr. HAGEL, and Mr. HUTCHINSON) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for a rural education initiative, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. RURAL EDUCATION.**

4 (a) RURAL EDUCATION INITIATIVE.—Part J of title
5 X of the Elementary and Secondary Education Act of
6 1965 (20 U.S.C. 8271 et seq.) is amended—

7 (1) by redesignating section 10975 as section
8 10976; and

9 (2) by striking sections 10971 through 10974,
10 and inserting the following:

1 **“SEC. 10971. SHORT TITLE.**

2 “This subpart may be cited as the “Rural Education
3 Initiative Act”.

4 **“SEC. 10972. FINDINGS.**

5 “Congress makes the following findings:

6 “(1) Under Federal law there is no consistent
7 definition of rural schools.

8 “(2) Rural school districts do not benefit as
9 much as the school districts could from Federal edu-
10 cation funding because the unique needs of rural
11 school districts do not necessarily fit the categorical
12 Federal formula programs.

13 “(3) Rural schools often cannot compete for
14 Federal funding distributed by competitive grants
15 because the schools lack the personnel needed to
16 prepare grant applications and the resources to hire
17 specialists in the writing of Federal grant proposals.

18 “(4) Small school districts with fewer than 600
19 students often cannot use Federal grant funds dis-
20 tributed by formula because the formula allocation
21 does not provide enough revenue to carry out the
22 program the grant is intended to fund.

23 **“SEC. 10973. FORMULA GRANT PROGRAM AUTHORIZED.**

24 “(a) ALTERNATIVE USES.—

25 “(1) IN GENERAL.—Notwithstanding any other
26 provision of law, an eligible local educational agency

1 may use the applicable funding, that the agency is
2 eligible to receive from the State educational agency
3 for a fiscal year, to support local or statewide edu-
4 cation reform efforts intended to improve the
5 achievement of elementary school and secondary
6 school students and the quality of instruction pro-
7 vided for the students.

8 “(2) NOTIFICATION.—An eligible local edu-
9 cational agency shall notify the State educational
10 agency of the local educational agency’s intention to
11 use the applicable funding in accordance with para-
12 graph (1) not later than a date that is established
13 by the State educational agency for the notification.

14 “(b) ELIGIBILITY.—A local educational agency shall
15 be eligible to use the applicable funding in accordance with
16 subsection (a) if—

17 “(1) the total number of students in average
18 daily attendance at all of the schools served by the
19 local educational agency is less than 600; and

20 “(2) all of the schools served by the local edu-
21 cational agency are located in a community with a
22 Rural-Urban Continuum Code of 6, 7, 8, or 9, as
23 determined by the Secretary of Agriculture.

1 “(c) APPLICABLE FUNDING.—In this section, the
 2 term “applicable funding” means funds provided under
 3 each of the following provisions of law:

4 “(1) Section 307 of the Department of Edu-
 5 cation Appropriations Act, 1999.

6 “(2) Titles II, IV, and VI.

7 “(d) DISBURSAL.—Each State educational agency
 8 that receives applicable funding for a fiscal year shall dis-
 9 burse the applicable funding to local educational agencies
 10 for alternative uses under this section for the fiscal year
 11 at the same time that the State educational agency dis-
 12 burse the applicable funding to local educational agencies
 13 that do not intend to use the applicable funding for such
 14 alternative uses for the fiscal year.

15 “(e) SUPPLEMENT NOT SUPPLANT.—Funds made
 16 available under this section shall be used to supplement
 17 and not supplant any other Federal, State or local edu-
 18 cation funds.

19 “(f) SPECIAL RULE.—References in Federal law to
 20 funds for the provisions of law set forth in subsection (c)
 21 may be considered to be references to funds for this sec-
 22 tion.

23 **“SEC. 10974. COMPETITIVE GRANT PROGRAM AUTHORIZED.**

24 “(a) IN GENERAL.—The Secretary is authorized to
 25 award grants to eligible local educational agencies to en-

1 able the local educational agencies to support local or
2 statewide education reform efforts intended to improve the
3 achievement of elementary school and secondary school
4 students and the quality of instruction provided for the
5 students.

6 “(b) ELIGIBILITY.—A local educational agency shall
7 be eligible to receive a grant under this section if—

8 “(1) the total number of students in average
9 daily attendance at all of the schools served by the
10 local educational agency is less than 600; and

11 “(2) all of the schools served by the local edu-
12 cational agency are located in a community with a
13 Rural-Urban Continuum Code of 6, 7, 8, or 9, as
14 determined by the Secretary of Agriculture.

15 “(c) AMOUNT.—

16 “(1) IN GENERAL.—The Secretary shall award
17 a grant to a local educational agency under this sec-
18 tion for a fiscal year in an amount equal to the
19 amount determined under paragraph (2) for the fis-
20 cal year minus the total amount received under the
21 provisions of law described under section 10973(c)
22 for the fiscal year.

23 “(2) DETERMINATION.—The amount referred
24 to in paragraph (1) is as follows:

1 “(A) If the number of children in average
2 daily attendance at the schools served by such
3 agency is greater than 0 and less than 50, then
4 the amount is \$20,000.

5 “(B) If the number of such children is
6 greater than or equal to 50 and less than 150,
7 then the amount is \$30,000.

8 “(C) If the number of such children is
9 greater than or equal to 150 and less than 300,
10 then the amount is \$40,000.

11 “(D) If the number of such children is
12 greater than or equal to 300 and less than 450,
13 then the amount is \$50,000.

14 “(E) If the number of such children is
15 greater than or equal to 450 and less than 600,
16 then the amount is \$60,000.

17 “(3) CENSUS DETERMINATION.—

18 “(A) IN GENERAL.—Each local educational
19 agency desiring a grant under this section shall
20 conduct a census not later than December 1 of
21 each year to determine the number of kinder-
22 garten through grade 12 students in average
23 daily attendance at the schools served by the
24 local educational agency.

1 “(B) SUBMISSION.—Each local educational
2 agency shall submit the number described in
3 subparagraph (A) to the Secretary not later
4 than March 1 of each year.

5 “(4) PENALTY.—If the Secretary determines
6 that a local educational agency has knowingly sub-
7 mitted false information under paragraph (3) for the
8 purpose of gaining additional funds under this sec-
9 tion, then the local educational agency shall be fined
10 an amount equal to twice the difference between the
11 amount the local educational agency received under
12 this section, and the correct amount the local edu-
13 cational agency would have received under this sec-
14 tion if the agency had submitted accurate informa-
15 tion under paragraph (3).

16 “(d) DISBURSAL.—The Secretary shall disburse the
17 funds awarded to a local educational agency under this
18 section for a fiscal year not later than July 1 of that year.

19 “(e) SPECIAL RULE.—Any local educational agency
20 that receives a grant under this section for a fiscal year
21 shall be ineligible to receive funds for the fiscal year under
22 the following provisions of law:

23 “(1) Subpart 2 of part A of title III.

24 “(2) Subpart 1 of part A of title VII.

25 “(3) Subpart 2 of part A of title VII.

1 “(4) Section 7142.

2 “(5) Part A of title X.

3 “(6) Part B of title X.

4 “(7) Part I of title X.

5 “(f) SUPPLEMENT NOT SUPPLANT.—Funds made
6 available under this section shall be used to supplement
7 and not supplant any other Federal, State or local edu-
8 cation funds.

9 **“SEC. 10975. ACCOUNTABILITY.**

10 “(a) ACADEMIC ACHIEVEMENT.—

11 “(1) IN GENERAL.—Each local educational
12 agency that uses or receives funds under section
13 10973 or 10974 for a fiscal year shall—

14 “(A) administer a test, that is used State-
15 wide, to assess the academic achievement of
16 students in the schools served by the local edu-
17 cational agency; or

18 “(B) in the case of a local educational
19 agency for which there is no Statewide test de-
20 scribed in subparagraph (A), administer a test,
21 that is selected by the local educational agency,
22 to assess the academic achievement of students
23 in the schools served by the local educational
24 agency.

1 “(2) SPECIAL RULE.—Each local educational
2 agency that uses or receives funds under section
3 10973 or 10974 shall use the same test described in
4 paragraph (1) for each year of participation in the
5 program under such section.

6 “(b) STATE EDUCATIONAL AGENCY DETERMINATION
7 REGARDING CONTINUING PARTICIPATION.—Each State
8 educational agency that receives funding under the provi-
9 sions of law described in section 10973(c) shall—

10 “(1) after the 5th year that a local educational
11 agency participates in a program under section
12 10973 or 10974 and on the basis of the results of
13 the tests described in subsection (a), determine
14 whether the students served by the local educational
15 agency participating in the program performed bet-
16 ter on the tests after the 5th year of the participa-
17 tion compared to the results on the tests after the
18 1st year of the participation;

19 “(2) only permit those local educational agen-
20 cies that so participated and performed better on the
21 tests to continue to so participate for an additional
22 period of 5 years; and

23 “(3) prohibit those local educational agencies
24 that so participated and did not perform better on

1 the tests from such participation for a period of 5
 2 years from the date of the determination.”.

3 (b) CONFORMING AMENDMENTS.—Part J of title X
 4 of the Elementary and Secondary Education Act of 1965
 5 (20 U.S.C. 8271 et seq.) is amended—

6 (1) in section 10951 (20 U.S.C. 8271)—

7 (A) in subsections (a)(1) and (b), by strik-
 8 ing “1995” and inserting “2000”; and

9 (B) in subsections (a)(1), (a)(3), and (b),
 10 by striking “10975” and inserting “10976”;

11 (2) in section 10952 (20 U.S.C. 8272)—

12 (A) by striking paragraph (4); and

13 (B) by redesignating paragraph (5) as
 14 paragraph (4);

15 (3) in the heading for subpart 2, by striking
 16 “**Demonstration Grants**” and inserting “**Ini-**
 17 **tiative**”; and

18 (4) in section 10976 (as redesignated by sub-
 19 section (a)(1)), by adding at the end the following:

20 “(d) RURAL ELIGIBLE LOCAL EDUCATIONAL AGEN-
 21 CY.—The term ‘rural eligible local educational agency’
 22 means a local educational agency—

23 “(1)(A) in which at least 15 percent of the chil-
 24 dren enrolled in the schools served by such agency
 25 are eligible to be counted under part A of title I; and

1 “(B) which is not in a metropolitan statistical
2 area; or

3 “(2) in which the total enrollment in the schools
4 served by such agency is less than 2,500 students
5 and that does not serve schools located in a metro-
6 politan statistical area.”.

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